

## Overview

It's easy to confuse the differences and similarities of IEP's and 504 plans. This page will describe what these two documents are and their use.

## Subtle, But Important Differences

Not all students who have disabilities require specialized instruction. For students with disabilities who do require specialized instruction, the **Individuals with Disabilities Education Act (IDEA)** controls the procedural requirements, and an IEP is developed. The IDEA process is more involved than that of Section 504 of the Rehabilitation Act and requires documentation of measurable growth.

For students with disabilities who do not require specialized instruction but need the assurance that they will receive equal access to public education and services, a document is created to outline their specific accessibility requirements. Students with 504 Plans do not require specialized instruction, but, like the IEP, a 504 Plan should be updated annually to ensure that the student is receiving the most effective accommodations for his/her specific circumstances.

For more information, consult **Interrelationship of IDEA and Section 504**.

## Similarities

- Both documents outline accommodations for the student that are to be made under federal law.
- Both documents are provided to all education and service providers who are responsible for the student named within the document.
- Federal and state guidelines apply to both.

## Differences

- An IEP is an in-depth document for all students who require special education services. A 504 plan can accommodate students who can learn within a general education environment with stated modifications.
- A 504 plan does not necessarily mean a child qualifies for special education services as per the child study team or districts' respective equivalent.
- 504 plans can be utilized on an as-needed basis – for instance, physical accommodations for a student with a temporary injury. IEPs constitute a fully active special education plan for students and are renewed annually.
- Everything included in a 504 can be included in an IEP, but not everything in an IEP is included in a 504.
- An IEP can provide services and supports that a 504 plan can't, such as specialized instruction.

[IEP or 504 – that is the question! – via News Moms Need](#)

## Some Examples of 504 Accommodations

504 plan accommodations include (but are not limited to) preferential seating in a classroom, extending time on a test, using an organizer, offering assistive technology, taking tests orally, etc. The accommodations are based on the child's needs.

A 504 plan is designed to put kids on an equal footing with their peers, so that they compete on a level playing field with non-disabled children. However, unlike an IEP, a 504 plan is not able to individualize curricula (grade level work). But, a child with a 504 plan may receive Related Services (occupational, physical or speech therapy, assistive technology, psychological or counseling services, hearing services, etc.) if his testing shows he qualifies.

From the [SPED NYSED Q&A doc](#):

**11. The State IEP form does not reference declassification. Where should recommendations upon declassification (including, as appropriate: testing accommodations; the student's eligibility for the diploma "safety net;" the student's continued exemption from the language other than English (LOTE) requirement; and needed declassification support services to be provided to the student and/or the student's teachers during the first year after the student is declassified) be documented?**

The State's model IEP form only includes information that is required by law or regulation to be included in a student's IEP. There is no requirement in law or regulation to include information related to declassification in an IEP. However, the Committee must document its recommendations made upon declassification of the student to the board of education and in prior written notice to the student's parents.

Any recommendations relating to declassification must be provided to the board of education by the CSE. The recommendation must:

- identify the declassification support services, if any, to be provided to the student and/or to the student's teachers; and
- indicate the projected date of initiation of such services, the frequency of provision of such services and the duration of such services, provided that such services shall not continue for more than one year after the student enters the full-time general education program.

Other recommendations, including those that will continue upon the student's declassification such as the student's continued eligibility for the "safety net" or LOTE exemption, should be included in the notice to the Board of Education and in prior written notice to the parent.